



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/410,853      | 10/01/1999  | JERRY ALTEN          | UV-137-CONT.        | 7565             |

7590 07/12/2004  
DANIEL A DEVITO  
WEIL GOTSHAL & MANGES  
767 FIFTH AVENUE  
NEW YORK, NY 10153

EXAMINER

SHANG, ANNAN Q

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2614

DATE MAILED: 07/12/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/410,853

Applicant(s)

ALTEN ET AL.

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 01 October 1999.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,9,13-15,17-20,22,26-28,30-33,35 and 39-51 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☐ Claim(s) 1,2,4-7,9,13-15,17-20,22,26-28,30-33,35 and 39-51 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/05-22-00.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 5, 9, 13, 14, 17, 18, ~~22~~, 26, 27, 30, 31, 35, 39, 40, 42, 43, 46 and 47, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Young et al (4,706,121)** in view of **Richards et al (5,179,654)**.

As to claim 1, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses a method for providing help information that explains to a user of an electronic television program guide how the electronic television program guide operates, the method comprises the following:

the claimed "receiving a user input and providing help information that explains to the user how the electronic television program guide operates..." is met by Remote Receiver (RR) 118 or 190 (figs. 3-5, col. 7, lines 33-57 and col. 9, line 48-col. 10, line 10), note that RR 118 or 190 receives via Remote Control Transmitters (RC) 116 or 118, user inputs where if the user selects key PG 224 "help information key" on RC 116 or 118, help information (col. 9, line 54 and col. 12, lines 30-44) that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of Television Receiver (TV) 126 or 200.

Young fails to explicitly teach where the help information provided depends on the state of the guide at which the user enters the input.

However, **Richards et al** reference disclose a menu system that provides help information on the current state of the system, that is, based on the item selected on the menu by a user (figs. 1-4, col. 5, lines 8-25 and lines 46-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Richards into the system of Young to concurrently display help text on each selected tile or grid of the EPG data, and furthermore enable interaction with each selected tiles or grid of the EPG data for additional information, help or instructions relating to the selected tile or grid of the EPG data.

As to claim 4, Young further discloses where RC 116 or 118 generates the user input in response to the user depressing PG 224 "help information key" on RC 116 or 118 (col. 9, line 54 and col. 12, lines 30-44), to displayed help information at the bottom of the screen of TV 126 or 200.

As to claim 5, Young further discloses displaying a text message (col. 12, lines 30-58), which explains to the user how a portion of the EPG operates.

As to claim 9, Young further discloses where the EPG has a plurality of themes, categories, sub-categories, etc., listing (col. 12, line 55-col. 13, line 40) "operating points" and tracks the various listing, but fails to explicitly teach providing help information based on the current operating point.

However, **Richards** discloses a menu system that provides help information on based current operating point, i.e., the item selected on the menu by (figs. 1-4, col. 5, lines 8-25 and lines 46-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Richards into the system of Young to concurrently display help text on each selected tile or grid of the EPG data, and furthermore enable interaction with each selected tiles or grid of the EPG data for additional information, help or instructions relating to the selected tile or grid of the EPG data.

As to claim 13, Young further discloses storing the help information in memory and retrieving the help information from the memory in response to receiving the user input (col. 7, lines 47-64, col. 8, lines 32-44 and col. 12, lines 64-68).

As to claim 14, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses a method for providing help information that explains to a user of an electronic television program guide how the electronic television program guide operates, the system comprises the following:

the claimed "means for receiving a user input and means for providing help information that explains to the user how the electronic television program guide operates..." is met by Remote Receiver (RR) 118 or 190 (figs. 3-5, col. 7, lines 33-57 and col. 9, line 48-col. 10, line 10), note that RR 118 or 190 receives via Remote Control Transmitters (RC) 116 or 118, user inputs, where if the user selects key PG 224

"help information key" on RC 116 or 118, help information (col. 9, line 54 and col. 12, lines 30-44), that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of Television Receiver (TV) 126 or 200.

Young fails to explicitly teach where the help information provided depends on the state of the guide at which the user enters the input.

However, Richards et al reference disclose a menu system that provides help information on the current state of the system, that is, based on the item selected on the menu by a user (figs. 1-4, col. 5, lines 8-25 and lines 46-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Richards into the system of Young to concurrently display help text and EPG data or selected grid of the EPG data, and furthermore interact with the EPG data for additional information, help or instructions relating to the selected television program, channel, etc.

Claim 17, is met as previously discussed with respect claim 4.

Claim 18, is met as previously discussed with respect claim 5.

Claim 22, is met as previously discussed with respect claim 9.

Claim 26, is met as previously discussed with respect claim 13.

As to claim 27, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses an electronic television program guide system that provides help information for explaining to a user of an electronic television program

guide how the electronic television program guide operates, the system comprises the following:

the claimed "a video display generator," is met by Video Display Generator (VDG) 204 (col. 8, lines 48-62);

the claimed "a remote controller," is met by Remote Control Transmitters (RC) 116 or 118 (col. 7, lines 33-57 and col. 9, lines 48-52);

the claimed "a microcontroller," is met by CPU 178 (col. 8, lines 35-62); and electronic television program guide (EPG) executed by CPU 178 and programmed to receiver a user input via Remote Control Transmitters (RC) 116 or 118 and Remote Receiver (RR) 118 or 190 (figs. 3-5, col. 7, lines 33-57 and col. 9, line 48-col. 10, line 10), and provides help information at the bottom of the screen of Television Receiver (TV) 126 or 200 that explains to the user how the EPG operates to the VDG 204 in response to receiving the user input, i.e., when the user presses PG 224 "help information key" on RC 166 or 118.

Young fails to explicitly teach where the help information provided depends on the state of the guide at which the user enters the input.

However, **Richards et al** reference disclose a menu system that provides help information on the current state of the system, that is, based on the item selected on the menu by a user (figs. 1-4, col. 5, lines 8-25 and lines 46-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Richards into the system of Young to concurrently display help text and EPG data or selected grid of the EPG data, and

furthermore interact with the EPG data for additional information, help or instructions relating to the selected television program, channel, etc.

Claim 30, is met as previously discussed with respect claim 4.

Claim 31, is met as previously discussed with respect claim 5.

Claim 35, is met as previously discussed with respect claim 9.

Claim 39, is met as previously discussed with respect claim 13.

As to claim 40, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses machine-readable media for use with an electronic television program guide, the machine-readable media comprising program logic recorded there for the following:

the claimed "receiving a user input and providing help information that explains to the user how the electronic television program guide operates..." is met by Remote Receiver (RR) 118 or 190 (figs. 3-5, col. 7, lines 33-57 and col. 9, line 48-col. 10, line 10), note that RR 118 or 190 receives via Remote Control Transmitters (RC) 116 or 118, user inputs where if the user selects key PG 224 "help information key" on RC 116 or 118, help information (col. 9, line 54 and col. 12, lines 30-44) that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of Television Receiver (TV) 126 or 200.

Young fails to explicitly teach where the help information provided depends on the state of the guide at which the user enters the input.



However, **Richards et al** reference disclose a menu system that provides help information on the current state of the system, that is, based on the item selected on the menu by a user (figs. 1-4, col. 5, lines 8-25 and lines 46-64).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Richards into the system of Young to concurrently display help text and EPG data or selected grid of the EPG data, and furthermore interact with the EPG data for additional information, help or instructions relating to the selected television program, channel, etc.

Claim 42, is met as previously discussed with respect claim 4.

Claim 43, is met as previously discussed with respect claim 5.

Claim 46, is met as previously discussed with respect claim 9.

Claim 47, is met as previously discussed with respect claim 13.

3. Claims 48-51, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Young (4,706,121)** in view of **Palmer et al (6,320,588)**.

As to claim 48, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses a method for providing help information that explains to a user of an electronic television program guide how the electronic television program operates, the method comprises the following:

the claimed "displaying help information..." is met by Television (TV) 126 or 200 (figs. 1-4, col. 8, lines 23-35, col. 9, lines 48-54 and col. 12, lines 30-45), note that Remote Receiver (RR) 118 or 190, receives via Remote Control Transmitters (RC) 116

or 118, user inputs, where if the user selects key PG 224 "help information key" on RC 116 or 118, help information that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of TV 126 or 200 and when a cursor is place alongside a theme with sub-categories a portion of the EPG, or the sub-category is displayed (col. 12, lines 55-65);

Young fails to explicitly teach querying the user to identify a portion of the EPG for which the user desires help information.

However, note **Palmer et al** reference figs 23-25, disclose a distributed computer system 10, with a plurality of multimedia workstations 12 (fig. 1 and col. 5, lines 25-34) and further disclose a menu system, that displaces various queries to a user, where a user selects to retrieve help information (figs. 23-25, col. 19, lines 31-39, col. 22, line 63-col. 23, line 39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young to provide queries to the user to enable the user to access additional information with respect to the portions of the menu.

As to claim 49, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses electronic television program guide system that provides help information for explaining to a user of an electronic television program guide how the electronic television program operates, the system comprises the following:

The claimed "means for displaying help information...." is met by Television (TV) 126 or 200 (figs. 1-4, col. 8, lines 23-35, col. 9, lines 48-54 and col. 12, lines 30-45), note that Remote Receiver (RR) 118 or 190, receives via Remote Control Transmitters (RC) 116 or 118, user inputs, where if the user selects key PG 224 "help information key" on RC 116 or 118, help information that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of TV 126 or 200 and when a cursor is place alongside a theme with sub-categories a portion of the EPG, or the sub-category is displayed (col. 12, lines 55-65);

Young fails to explicitly teach means for querying the user to identify a portion of the EPG for which the user desires help information.

However, note **Palmer et al** reference figs 23-25, disclose a distributed computer system 10, with a plurality of multimedia workstations 12 (fig. 1 and col. 5, lines 25-34) and further disclose a menu system, that displaces various queries to a user, where a user selects to retrieve help information (figs. 23-25, col. 19, lines 31-39, col. 22, line 63-col. 23, line 39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young to provide queries to the user to enable the user to access additional information with respect to the portions of the menu.

As to claim 50, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses an electronic television program guide system that

provides help information for explaining to a user of an electronic television program guide how the electronic television program guide operates, the system comprises the following:

the claimed "a video display generator," is met by Video Display Generator (VDG) 204 (col. 8, lines 48-62);

the claimed "a remote controller," is met by Remote Control Transmitters (RC) 116 or 118 (col. 7, lines 33-57 and col. 9, lines 48-52);

the claimed "a microcontroller," is met by CPU 178 (col. 8, lines 35-62); and electronic television program guide (EPG) executed by CPU 178 and programmed to receiver a user input via Remote Control Transmitters (RC) 116 or 118 and Remote Receiver (RR) 118 or 190 (figs. 3-5, col. 7, lines 33-57 and col. 9, line 48-col. 10, line 10), and provides help information at the bottom of the screen of Television Receiver (TV) 200 that explains to the user how the EPG operates to the VDG 204 in response to receiving the user input, i.e., when the user presses PG 224 "help information key" on RC 166 or 118.

Young fails to explicitly querying the user to identify with a remote controller a portion of the EPG for which the user desires help information.

However, note **Palmer et al** reference figs 23-25, disclose a distributed computer system 10, with a plurality of multimedia workstations 12 (fig. 1 and col. 5, lines 25-34) and further disclose a menu system, that displaces various queries to a user, where a user selects to retrieve help information (figs. 23-25, col. 19, lines 31-39, col. 22, line 63-col. 23, line 39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young to provide queries to the user to enable the user to access additional information with respect to the portions of the menu.

As to claim 51, note the **Young** reference figures 1-3, discloses a TV schedule system and process which allows a user selection of broadcast programs from schedule information and further discloses machine-readable media for use with an electronic television program guide, the machine-readable media comprising logic recorded there for the following:

the claimed "displaying help information..." is met by Television (TV) 126 or 200 (figs. 1-4, col. 8, lines 23-35, col. 9, lines 48-54 and col. 12, lines 30-45), note that Remote Receiver (RR) 118 or 190, receives via Remote Control Transmitters (RC) 116 or 118, user inputs, where if the user selects key PG 224 "help information key" on RC 116 or 118, help information that explains to the user how the electronic television program guide operates is displayed at the bottom of the screen of TV 126 or 200 and when a cursor is place alongside a theme with sub-categories a portion of the EPG, or the sub-category is displayed (col. 12, lines 55-65);

Young fails to explicitly teach querying the user to identify a portion of the EPG for which the user desires help information.

However, note **Palmer et al** reference figs 23-25, disclose a distributed computer system 10, with a plurality of multimedia workstations 12 (fig. 1 and col. 5, lines 25-34) and further disclose a menu system, that displaces various queries to a user, where a

user selects to retrieve help information (figs. 23-25, col. 19, lines 31-39, col. 22, line 63-col. 23, line 39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young to provide queries to the user to enable the user to access additional information with respect to the portions of the menu.

4. Claims 2, 6, 7, 15, 19, 20, 28, 32, 33, 41, 44 and 45, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Young (4,706,121)** in view of **Richards et al (5,179,654)** as applied to claims 1, 14, 27 and 40 above, and further in view of **Palmer et al (6,320,588)**.

As to claims 2, 15, 28 and 41, Young as modified by Richards displays a help menu at the bottom of the screen upon receiving a user selection, but fail to explicitly teach displaying a help icon.

However, Palmer teaches displaying a help icon on a menu (fig. 23 and col. 19, lines 31-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young as modified by Richards to provide a help icon as a visual mnemonics on the screen for a user-friendly GUI that allows the user to control without having to remember a command or input at a remote control or keyboard.

As to claims 6, 7, 19, 20, 32, 33, 44 and 45, Young as modified by Richards fails to explicitly teach where the help information comprises displaying an instructional video or audio that explains to the user how a portion of the EPG operates.

However, Palmer further teaches a menu system, with audio/visual help instruction, which explains how a portion of the menu operates (figs. 23-25, col. 17, line 64-col. 18, line 2, col. 19, lines 31-39 and col. 22, line 63-col. 23, line 1+), note that the help instruction offers the user three levels comprehensive textual, audio and visual system documentation (col. 23, lines 30-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Palmer into the system of Young as modified by Richards to provide help instructional audio and/or video to enhanced the EPG data and furthermore, video instructional help to enable the hearing impaired to get help using video help instructions on a display and also audio instructional help, to enable the blind get audio help instructions.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hendricks et al (6,515,680) disclose set top terminal for television system.

Young et al (6,498,895) disclose user interface for television schedule system.

Berry et al (6,061,060) disclose display system with imbedded icons in a menu bar.

Art Unit: 2614

Hamilton et al (5,579,055) disclose electronic program guide and text channel data controller.

Kitahara et al (5,377,319) disclose help guidance method utilizing an animated picture.

Hoarty (5,485,197) discloses carousel display.

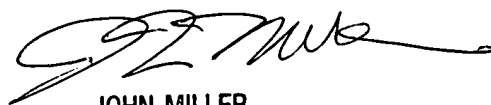
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC)** at **866-217-9197 (toll-free)**.



**Annan Q. Shang**



**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**